

REMARKS

In the Action, the Examiner has rejected to the drawings for the reasons set forth in the PTO-948 form. The drawings submitted with the application were intended to be informal in nature and Applicant is obtaining formal drawings for submission. It is Applicant's intent to submit drawings which are completely clear of erasures, alterations, copy machine marks and other objections noted by the Draftsman in the afore-mentioned PTO-948 form. These drawings will be submitted under separate cover and delivered to the Examiner.

Next, Applicant notes that the Examiner has rejected claims 1, 3 and 5-6 under 35 USC § 103(a) as being unpatentable over Christer Bernerus, *Software Management in DFS*. That rejection is respectfully traversed, insofar as the Christer Bernerus reference might be applied to any of the claims in the present application.

As set forth in the present specification at page 4, line 23 et seq., the purpose of the present invention is to solve the shortcomings noted in the two different approaches in general use to set up personal computers within a large enterprise. As described thereat, one approach is to load a common set of base software which is required by all users on each personal computer and thereafter download the unique requirements for each user using a data transmission network. The second approach described is to load all software applications which any user may desire into each personal computer and thereafter have the user either ignore unwanted software or delete that software.

As described in the present specification, the first approach has the disadvantage of downloading the unique software utilizing the network, thus occupying significant bandwidth within the network. The second approach has the disadvantage of incurring license fees for software which would be incurred even though a particular copy of the software would not be utilized.

The present invention solves the network bandwidth problem and license fee utilization problem by, as described in each of the independent claims of the present application, and in claim 1, for example, loading a personal computer system with software including "selected and non-selected software in unusable form" and thereafter converting selected software into a usable form with the non-selected programs for a particular user within his/her personal computer system not being converted into usable form, and creating a list of the selected software for a particular computer so that royalties can be paid only for that software for which is in use.

The Christer Bernerus reference primarily relied upon by the Examiner is a description of software management within a DFS system. Those having ordinary skill in the art will appreciate that DFS stands for "Distributed File System" which is defined at page 154 of the *Microsoft Press Computer Dictionary, 3rd Edition* as "a file management system in which files may be located on multiple computers connected over a local or wide area network." Applicant submits herewith for utilization by the Examiner a copy of the *Microsoft Press Computer Dictionary* definition of "DFS" and "Distributed File System" so that the Examiner may be assured as to the appropriate definition for this system. As illustrated in Figure 1, relied upon by the Examiner, multiple users,

presumptively utilizing either terminals or personal computers, access software packages which are present within the distributed file system by means of software directors who can control whether or not a particular software package may be utilized by a particular user.

This system is similar to the first approach described in the present specification in that the software must either be downloaded from the distributed file system to the user or executed over the network, in either event substantially utilizing the bandwidth available within the network.

As each and every claim within the present application expressly recites the storage of selected and non-selected software within a personal computer in a nonusable form and the subsequent rendering of the selected software into a usable form, it is beyond cavil that Christer Bernerus cannot be said to show or suggest an invention such as that set forth within the present claims.

Houck, et al., U.S. Patent No. 5,927,050 is cited by the Examiner for its teaching of erasing non-selected software from the personal computer; however, no combination of Houck, et al. with Christer Bernerus can be said to show or suggest an invention such as that set forth within each of the claims in the present application wherein selected and non-selected software are loaded into a computer and wherein the selected software is subsequently enabled for purposes of ensuring that software throughout the enterprise is managed within a cost and bandwidth efficient manner.

The Examiner also cites Halter, et al., U.S. Patent No. 5,319,705 for its teaching of software which is converted from an encrypted to an unencrypted form; however, no combination of Halter, et al. with Christer Bernerus can be said to show or suggest the invention described above.

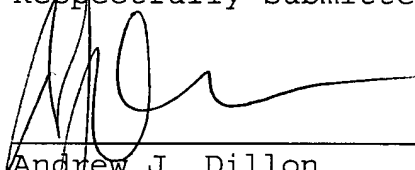
The Examiner also cites www.patents.ibm.com, *Software Custom Installation for Nodes in a Network*. Any rejection based upon a combination of this reference with the other cited references is similarly deficient in that this reference teaches the downloading of software through a network from one portion of the network to a node within the network in a manner which utilizes much of the bandwidth of the network and in a manner which is expressly distinguished within the present specification from the method and system of the present application wherein selected and non-selected software are both loaded into a personal computer in an unusable form and wherein the selected software is thereafter selectively converted to a usable form.

Each of the rejections of the subsets of claims entered by the Examiner in the Examiner's Action dated September 12, 2000 relies upon some combination of the afore mentioned references and, for the reasons described herein, none of these references show or suggest in any way the loading of selected and non-selected software into a personal computer so that after that personal computer is installed within a network and utilized by a particular user, the selected software may be enabled without incurring licensing fees for software which is non-selected and without incurring substantial bandwidth utilization within the network. In view of the above, Applicant respectfully urges the Examiner that

claims 1-21 define patentable subject matter over these combination of references and withdrawal of all rejections and passage of this application to issue are respectfully requested.

A request for a two-month extension of time and a check for the appropriate fee are enclosed herewith. No additional extension of time is believed to be required; however, in the event an additional extension of time is required, please consider that extension requested and please charge the fee for that extension, as well as any other fee necessary to further the prosecution of this application to IBM CORPORATION Deposit Account No. 50-0563.

Respectfully submitted,



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